

APPROVED MINUTES

KITTERY TOWN COUNCIL

August 25, 2014

COUNCIL CHAMBERS

1. Call to Order

Chairperson Thomson called the meeting to order at 7:00 P.M.

2. Introductory

Chairperson Thomson read the introductory.

3. Pledge of Allegiance

Chairperson Thomson led those present in the Pledge of Allegiance.

4. Roll Call

Answering the roll were Chairperson Jeffrey Thomson, Councilors Russell White, Frank Dennett, Chuck Denault, Judy Spiller, Jeffrey Pelletier and Jeffrey Brake.

5. Agenda Amendment and Adoption –

The agenda was accepted as presented.

6. Town Manager's Report –

Town Manager Puff stated relative to the parking at Seapoint Beach that she had asked the Chief to put a greater emphasis on enforcement and that the police were now patrolling more often. Councilor Spiller indicated that she had been at the beach the previous weekend and there were lots of out of town cars and would have been the primetime for enforcement. Chairperson Thomson stated that he thought more enforcement was needed as well.

Town Manager Puff noted relative to the problem with speeding on State Road, that the police department had put up a speed trailer the previous week. She continued that speeding was the top complaint over the summer and that 15% of drivers pulled over for speeding had been ticketed.

Town Manager Puff indicated that she had been in touch with a representative from the Rachel Carson Preserve who had offered assistance in identifying and controlling invasive species in town.

Town Manager Puff stated that they had re-advertised for the sale of the harbormaster boat and they would be accepting bids until September 15th.

Town Manager Puff read the meeting room policy update from the Rice Public Library.

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Town Manager Puff indicated that she would be speaking at the KLT annual meeting on September 7th.

Town Manager Puff stated that the Eliot Selectman had indicated that they wanted to meet with the Town Council on a regular basis and asked if September 18th would work which the Council responded that it would.

Town Manager Puff noted relative to Channel 22 that there were only a few meetings left which were not captioned live and that she had begun posting community updates. She continued that the next step was to be able to post video and PowerPoint presentations on the channel.

7. Acceptance of Previous Minutes

The minutes of 8/11/14 were accepted as amended.

8. Interviews for the Board of Appeals – None

9. All items involving the town attorney, town engineers, town employees or other town consultants or requested officials – None

10. PUBLIC HEARINGS -

a. (080314-2) The Kittery Town Council moves to hold a public hearing on the renewal application of Delta Amusement, Inc., 182 State Road, Kittery for a Special Activity Amusement Permit for Navy Yard Bar & Billiard, 182 State Road.

Chairperson Thomson stated that this public hearing was advertised on August 18th. Chairperson Thomson opened the public hearing and no response being heard, closed the public hearing.

COUNCILOR SPILLER MOVED TO APPROVE THE RENEWAL APPLICATION OF DELTA AMUSEMENT, INC., 182 STATE ROAD, KITTERY FOR A SPECIAL ACTIVITY AMUSEMENT PERMIT FOR NAVY YARD BAR & BILLIARD, 182 STATE ROAD, SECONDED BY COUNCILOR WHITE.

A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES 7/0.

b. (080314-3) The Kittery Town Council moves to hold a public hearing on a proposed amendment to the Town Charter, Section 1.05 Qualifications for municipal office.

Chairperson Thomson indicated that amendment was proposed by Councilor Dennett and was advertised on August 15th.

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Councilor Dennett stated that the state law required that in order for a person to hold municipal office, the person must be a resident of the State of Maine, whether they are elected or appointed with the exclusion of police officers. He continued that he could not find any reason why someone would need to be a resident of the state and that it would be a good move for the town to accept the change. Councilor Dennett indicated that he thought the town should be able to hire the best people available regardless of where they live.

Chairperson Thomson then opened the public hearing and no response being heard, closed the public hearing.

CHAIRPERSON THOMSON MOVED TO PUT THE AMENDMENT ON THE NOVEMBER 4TH BALLOT, SECONDED BY COUNCILOR SPILLER.

A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES 7/0.

c. (080314-4) The Kittery Town Council moves to hold a public hearing in accordance with Section 6.09(4) of the Kittery Town Charter, to transfer appropriations between accounts and carry forward requests.

Chairperson Thomson noted that this had to be done according to the Town Charter. He stated that this public hearing was advertised on August 15th. Chairperson Thomson then opened the public hearing and no response being heard, closed the public hearing.

COUNCILOR DENNETT MOVED IN ACCORDANCE WITH SECTION 6.09(4) OF THE KITTERY TOWN CHARTER, TO TRANSFER APPROPRIATIONS BETWEEN ACCOUNTS AND CARRY FORWARD REQUESTS, SECONDED COUNCILOR PELLETIER.

A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES 7/0.

11. DISCUSSION

a. Discussion by members of the public (three minutes per person) –

Bruce Wiggin came to the podium and thanked Councilor Denault for making sure that the speed trailer was placed on State Road. He stated that he thought the morning traffic on Jones and Central Ave was heavy and there were often children near the road. He asked that a “Slow Children” sign be placed there and possibly a stop sign on Pine Street.

Maryann Place, Town Clerk, came to the podium and stated she wanted to remind residents that nomination papers were available for Council and School Committee with a deadline of September 22nd.

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b. Chairperson's response to public –

Chairperson Thomson asked that the Town Manager get together with the chief relative to the signage issue.

12. UNFINISHED BUSINESS – None

13. NEW BUSINESS

a. Donations/gifts received for Council disposition -

(080314-4) The Kittery Town Council moves to accept a check in the amount of \$9,250 from York Hospital, for Recreation Programs, to be deposited in account #5003-43600 York Hospital Scholarships.

COUNCILOR SPILLER MOVED TO ACCEPT A CHECK IN THE AMOUNT OF \$9,250 FROM YORK HOSPITAL, FOR RECREATION PROGRAMS, TO BE DEPOSITED IN ACCOUNT #5003-43600 YORK HOSPITAL SCHOLARSHIPS, SECONDED BY COUNCILOR BRAKE.

A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES 7/0.

b. (080314-5) The Kittery Town Council moves to release \$35,513.09 from unassigned funds, as approved by the voters on the June 11, 2013 Secret Ballot, to cover the overage in that budget.

COUNCILOR SPILLER MOVED TO RELEASE \$35,513.09 FROM UNASSIGNED FUNDS, AS APPROVED BY THE VOTERS ON THE JUNE 11, 2013 SECRET BALLOT, TO COVER THE OVERAGE IN THAT BUDGET, SECONDED BY COUNCILOR WHITE.

A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES 7/0.

c. (080314-6) The Kittery Town Council moves to approve a renewal application from Delta Amusement, Inc., 182 State Road, Kittery for a Malt, Spirituous and Vinous Liquor License for Navy Yard Bar & Billiard, 182 State Road.

COUNCILOR SPILLER MOVED TO APPROVE A RENEWAL APPLICATION FROM DELTA AMUSEMENT, INC., 182 STATE ROAD, KITTERY FOR A MALT, SPIRITUOUS AND VINOUS LIQUOR LICENSE FOR NAVY YARD BAR & BILLIARD, 182 STATE ROAD, SECONDED BY COUNCILOR BRAKE.

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A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES 7/0.

d. (080314-7) The Kittery Town Council moves to give approval for the Charity Defense Council to use Memorial Field on June 25th (8 AM-5 PM) and the 26th (4:30 AM-12 PM), 2015, for the Charity Defense Council March. In addition, they are requesting that any fees be waived for such use.

COUNCILOR SPILLER MOVED TO GIVE APPROVAL FOR THE CHARITY DEFENSE COUNCIL TO USE MEMORIAL FIELD ON JUNE 25TH (8 AM-5 PM) AND THE 26TH (4:30 AM TO 12 PM), 2015, FOR THE CHARITY DEFENSE COUNCIL MARCH AND TO WAIVE ALL FEES ASSOCIATED WITH SUCH USE, SECONDED BY COUNCILOR PELLETIER.

Councilor Dennett expressed his concerns with the request. Chairperson Thomson indicated that he shared the same concerns and would like to receive the request on stationery with more specific information.

CHAIRPERSON THOMSON MOVED TO POSTPONE ACTION ON THIS ITEM UNTIL DETAILED INFORMATION IS RECEIVED IN ORDER TO PLACE THE ITEM BACK ON THE AGENDA, SECONDED BY COUNCILOR SPILLER.

A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES 7/0.

e. (080314-8) The Kittery Town Council moves to approve the disbursement warrants.

COUNCILOR SPILLER MOVED TO APPROVE THE DISBURSEMENT WARRANTS, SECONDED BY COUNCILOR WHITE WITH ALL IN FAVOR. MOTION PASSES 7/0.

f. (080314-9) The Kittery Town Council moves to discuss its upcoming workshop on September 15th with the Kittery Port Authority.

The Council discussed the specific issues it would like to address with the KPA during the workshop on the 15th.

g. (080314-10) The Kittery Town Council moves to schedule a public hearing on a proposed amendment to Title 2 Administration and Personnel, Chapter 2.3 Personnel System Generally.

CHAIRPERSON THOMSON MOVED TO SCHEDULE A PUBLIC HEARING ON A PROPOSED AMENDMENT TO TITLE 2 ADMINISTRATION AND

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PERSONNEL, CHAPTER 2.3 PERSONNEL SYSTEM GENERALLY ON SEPTEMBER 22ND, SECONDED BY COUNCILOR WHITE.

A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES 7/0.

14. COUNCILOR ISSUE OR COMMENT

Councilor Dennett stated relative to the Rice Public Library, that he was concerned with the amended policy. He noted that the town finances 95% of the library's budget and was bothered because nothing negates the use of the town hall or KCC relative to political or religious issues. Chairperson Thomson stated that he would like to see more clarification on the policy. Councilor Pelletier asked if Council wanted the policy to mirror the policies of other town properties so they could give clarification as to what Council wants.

Councilor Denault stated that he was concerned because the Board of Assessment Review meeting video had stopped midway and wanted to make sure that the minutes were being recorded accurately.

Councilor Deanult asked to receive information as to any position in town that might not have been properly created through the Personnel Board that might need to be addressed.

Councilor Brake indicated he had received some calls about people not speaking into the microphones during the meetings and asked that everyone speak into them.

Councilor Spiller asked for an update on the Sarah Long Bridge and Memorial Circle.

Councilor White noted that he had attended a meeting dealing with the Sarah Long Bridge. He continued that NH had negotiated all of their signage but that Maine did not have a signage plan in place. Councilor White then stated that they were going to redesign the bypass from the bridge to the interstate and thought they needed input from the public.

15. COMMITTEE AND OTHER REPORTS

a. Communications from the Chairperson –

Chairperson Thomson stated that the work done on the bypass bridge was amazing.

Chairperson Thomson commended the Public Works Department on the appearance of the John Paul Jones Park.

b. Committee Reports –

Chairperson Thomson indicated relative to the J1 Committee, that they would be meeting with the US State Department on September 24th to hear the program's successes and concerns.

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16. EXECUTIVE SESSION – None
17. ADJOURNMENT

COUNCILOR SPILLER MOVED TO ADJOURN, SECONDED BY COUNCILOR WHITE WITH ALL IN FAVOR. MEETING ADJOURNED AT 8:37 P.M.